

THE STORY OF HUTCH, YALE '81

WHO ENLISTED IN THE NAVY TO GET AWAY FROM HIM.

Got to Be a Petty Officer, Deserted to His Enemy, Went Back, Served Out His Term and is Now in a Sanatorium—Confessed Drunkard, Sheriff's Jury Says.

The story of the escapade of Walter T. Hutchins, a Yale man, class '81, income \$500 a year, enlisting in the navy six years ago, attaining the rank of a petty officer and then deserting, only to be taken back again to serve once more before the mast, is told in the record of a recent hearing before a Sheriff's jury. The jury was appointed to inquire into the mental condition of Hutchins, and yesterday Asa Gardiner, the commissioner who presided over the hearing, reported to the Supreme Court that the jury had found Hutchins to be a confirmed drunkard, incapable of taking care of himself or his property.

"Hutch," as he is familiarly called by his friends, is well known about town and was a member of several clubs. His father, Francis W. Hutchins, created a trust fund of about \$125,000 for his benefit, putting it in the hands of Lawyer Henry B. Twombly, who has since disbursed the income to Hutchins. Twombly was graduated from Yale in 1881 and has been Hutchins's best friend for many years.

Hutchins's mother, Mrs. Adelaide P. Sharp, asked the court to commit her son as an incompetent and habitual drunkard. In her application she said that "though in early life he enjoyed all the social advantages that wealth and luxury could give, through the influence of bad associates he has become dissipated and has contracted vicious habits, and is now and has been for more than ten years an habitual drunkard."

"When under the influence of intoxicants," Mrs. Sharp continued, "he becomes wholly irresponsible for his acts and the easy prey of dissolute companions, and has been induced to squander his substance and has at various times contracted debts which he was unable to pay and has attempted to sign away his income to various creditors and has committed other irresponsible acts."

Hutchins was married in Vancouver, B. C., in April 1892, and has a twelve-year-old daughter who lives there with his wife. Mrs. Hutchins was quite unable to continue to live with him of recent years. Mrs. Sharp says, and both the mother and wife of Hutchins have made "great sacrifices for his sake to protect him from disgrace." His many promises to reform and to apply his income to the support of his family have been broken time and time again, according to the mother, and Mrs. Sharp has of late years contributed from \$150 to \$1,000 a year out of her own pocket for the support of Mrs. Hutchins and her child.

For some time past Hutchins has been in a sanatorium at Mammoth, under the care of Dr. Leon N. Carpenter, but when he leaves the sanatorium, as he often does, promising to leave drink alone, he is unable to earn a living for himself and is forced out again as soon as he can get hold of any of his income. Dr. Carpenter testified before the Sheriff's jury that Hutchins is totally irresponsible and should be committed permanently. Dr. Carpenter testified that his patient was "very much of a gentleman," but wholly unreliable and very careless of what he has done when drinking.

Ernest John Deacon, a barrister at Vancouver, testified that he had known both Mr. and Mrs. Hutchins for some years. For some time past Hutchins has been in a sanatorium at Mammoth, under the care of Dr. Leon N. Carpenter, but when he leaves the sanatorium, as he often does, promising to leave drink alone, he is unable to earn a living for himself and is forced out again as soon as he can get hold of any of his income. Dr. Carpenter testified before the Sheriff's jury that Hutchins is totally irresponsible and should be committed permanently. Dr. Carpenter testified that his patient was "very much of a gentleman," but wholly unreliable and very careless of what he has done when drinking.

It was Mr. Twombly who told about the naval experiences of Hutchins, who is now an old man, but who was a young college boy out on a spree when a grown man of family. Mr. Twombly said that the trust created for Hutchins by his father was what is known among lawyers as a "spendthrift trust," the only care devolving on the trustee being to collect and disburse the income. The trust fund is composed of \$25,000 in cash, and of good property in this city, \$25,000 worth of 3½ per cent. city bonds and a tenement house in Forty-fourth street worth about \$5,000. The income amounts to about \$5,000 a year.

Mr. Twombly testified that he had known Hutchins since their college days at Yale, and that Hutchins had been up and down the river, and had been in and out of every scrap he ever got into and provided with all the money he demanded from him. In small sums, and time and time again, he grew up wholly careless and ignorant of the value of money and a devotee to all kinds of dissipation. When sober, he is a thoroughly right-headed man, and is devoted to his wife and child. He is anxious at times to return to them, but his habits are so incorrigible, the lawyer said, that Mrs. Hutchins cannot live with him. In 1891, when he was in Vancouver, giving it out that he was on a trip to Europe, Hutchins enlisted in the navy. As he explained it to his trustee, he had desired to try to get out of the rut of dissipation and drunkenness into which he had fallen and thought that the discipline of the navy would prove a corrective. He enlisted as a seaman aboard the battleship *Missouri* and his intelligence and aptitude soon gained him promotion. He was made a non-commissioned officer, but shore leave, which he had been granted, he spent on one occasion he invited Mr. Twombly to come with him aboard the *Missouri*, but when the trustee arrived to keep the appointment he found Hutchins on the wharf, heavily drunk.

Still, as the lawyer said, Hutchins behaved comparatively well while he was in the navy. The longing for home, however, after a year, however, and in August of 1903 he deserted. He came to Twombly and begged for enough money to take him back to Vancouver. The lawyer foolishly, he says, he gave him the money, and the price of the ticket instead of buying it himself, and a few days later Twombly heard from him as the inmate of a hospital in England.

"He notified her to come to Paris," replied Witte. "She can't be compelled to expatriate herself," Lawyer Strauss replied. "I don't think it would be exactly expatriating herself to follow her husband abroad at his request," remarked Justice Hendrick, who then granted an adjournment for three weeks.

The Seagoers.

Sailing to-day by the White Star liner *Adriatic*, for Plymouth, Cherbourg and Southampton:

J. L. Caldwell, Mr. and Mrs. Harry B. Hollins, Mr. and Mrs. John S. Inglis, Mrs. Pembroke Jones, Mr. J. Wood Wright, Miss Mabel Verkes, Mr. and Mrs. George D. Widener, Mr. and Mrs. Fred Wignat, Judge and Mrs. Louis E. McComas, Sir Raymond and Lady Menendez, Mr. and Mrs. John L. Waterbury.

Passengers by the Holland-America steamer *Noordam*, for Boulogne and Rotterdam:

Dr. and Mrs. Harold Barclay, Dr. and Mrs. J. H. Claiborne, Prof. Samuel T. Dutton, the Rev. and Mrs. Henry Elliott Mott.

Reports of Railroad Accidents in New Jersey.

TRIDENT, N. J., July 16.—The newly created State Railroad Commission met today with representatives of the various roads of the State and discussed the matter of reporting accidents. It was decided to adopt the form used by the Interstate Commerce Commission, the railroads to report only those accidents which resulted in death or serious injury or damage to freight entailing a loss exceeding \$500. The commission will meet again on August 6.

DEDUCT FOR IMPROVEMENT.

A Feature in Condemnation Proceedings Established by Appellate Court.

The Appellate Division of the Supreme Court decided unanimously yesterday that where part of a parcel of land is acquired in condemnation proceedings by the city for public purposes it is right in considering the damages to be awarded to deduct from the value of the land acquired the amount of the benefit or increased value that will accrue to the land that is not taken through the city improvements that are to be erected.

The decision arises out of the condemnation of wharfage property on the North River, between the Twentieth and Twenty-third streets, for the "Chelsea improvement of the dock system." A marginal street will be part of the improvement.

The Commissioners of Estimate and Assessment, before whom the condemnation proceedings were held, awarded to the Consolidated Gas Company for one lot at Eleventh avenue and West Eleventh street, 160 feet by 231, \$485,748, of which \$300,000 was for gas holder and other erections on the lot, and \$185,748 for the land.

In arriving at the latter amount they had deducted \$35,947 from the actual value of the lot, on the ground that the benefit that would accrue to the lot of land owned by the company. This remaining plot, 100 feet by 175, will be transformed from an interior lot to a front lot.

John A. Garver, counsel for the gas company, contended that such a deduction was illegal as taking away property without just compensation. Mr. Garver argued that the award was unjust and unequal, as the owner of a parcel which was entirely taken would receive full payment, while an owner whose property was not taken at all would receive the full benefit of the improvement without any deduction.

Justice Clarke in a long opinion holds that the question involved is not one of taxation or assessment. He holds that the general rule of law supports the action of the Commissioners in making the deduction of increase of value and affirms the award as made.

CITY MARSHALS CATCH A TARTAR.

Had to Have Help of Three Police men to Put Woman Out—Hole One of Her Weapons.

Two city marshals and three policemen were required yesterday to dispossess Mrs. Annie Tumasco, a midwife of 314 East Fifty-third street.

Charles Collins is the owner of the house. He got a dispossession notice, which City Marshal George Boden and his assistant, one Walters, set out to serve on Mrs. Tumasco. She entered the house and handed her papers to the marshals, and asked the purpose of it she shouted "Get out here!" and seized a Filipino bolo from her collection of arms on the wall. Collins and Walters dodged behind chairs and tables, but Mrs. Tumasco chased them out in a hurry, shouting all the time to her husband for help, but he did not respond.

Policeman Summers of the East Thirty-fifth street station arrived on the scene just as the city marshals came flying out of the door. Mrs. Tumasco was sitting on the floor, and she was holding the bolo in her right hand. She was shouting "Get out here!" and she was holding the bolo in her right hand. She was shouting "Get out here!" and she was holding the bolo in her right hand.

This threat was too much for Tumasco, who came forward obediently to get the keys. Just at that moment, however, two other policemen arrived at the house, and they were all three arrested.

They took her before Magistrate House in the Yorkville court. The Court let her go when she promised not to attack any more policeman or city marshals.

"If that man of mine had just been a little quicker," she snarled as she left court, "I still would be mistress of my own house. Just wait till I get him alone."

GOSLIN'S WIFE WANTS ALIMONY.

Seeks a Separation Only While the Exile Would Have a Divorce.

Una R. wife of Alfred R. Goslin, the great field hand who is living in Paris a fugitive from justice with a couple of indictments hanging over his head, here applied yesterday to Justice Hendrick in the Supreme Court for alimony and counsel fee pending the trial of her suit for a separation on the ground of desertion. She would like \$100 a week.

Goslin served notice on his wife some time ago from Paris that he intended to begin a suit for divorce himself and she replied with her suit for a separation, the papers in which have been served on him by publication and mail. They have one child, a daughter, Marcelle Yvonne Goslin, who is with Goslin's mother here.

Mrs. Goslin says that when she married her husband in 1886 he was a prosperous \$50,000 in cash, and afterward they lived at 67 West End avenue at the rate, she says, of at least \$50,000 a year. He abandoned her in April 1905, and she has been since.

Herman Witte, counsel for Goslin, asked for an adjournment of the alimony motion for a month so that he might get instructions from his client, Mrs. Goslin. For Mrs. Goslin, objected to any adjournment, declaring that Goslin had left his wife without anything and had taken away with him all the money he had, and that she was now penniless.

STEER TAKES IN FIFTH AVENUE

SEES ALL THE SIGHTS AND CAUSES BIG STIR AMONG VISITORS.

Goes Along at a Gentle Trot Until a Bright Red Auto is Plunged in His Face—Then There Are Things Done—Caught After Chase and Dies in Street of Exhaustion.

A steer took a little trot down Fifth avenue yesterday morning, bellowing at motor cars, peering into shop windows and giving visitors on rubberneck cars and stages the time of their life.

The steer arrived here yesterday fresh from the plains and was due to make roast beef for New Yorkers to-day. Fifth avenue is not included in the itinerary of the steers that arrive here, but when this particular steer perceived that he was not to get a glimpse of that famous thoroughfare before it came his turn to adorn the table he decided to take matters into his own hand. While he was passing into the pens at the plant of J. Steifel & Co., at 67 East Forty-second street, he made a flying leap off a four foot platform, jumped over a three foot gate and found that his way to the street and freedom thereafter was unimpeded.

It was about 10 o'clock when he went to join the great throng of visitors then starting out to see the sights. It was a warm morning, but not any warmer than it is at times down by the Rio Grande.

First off the steer decided to get the best possible view he could find of the East River and the Brooklyn Bridge, and he turned around and looked back over his shoulder. He was looking at the Brooklyn Bridge when he arrived. Hoofing it up the hill at Forty-ninth street, where there is one street above another, he paused and took in the scene. When a gang of small boys came climbing up the hill in hot pursuit the visitor turned swiftly and headed west for the Avenue.

Hitting Fifth avenue right where St. Patrick's Cathedral rears its lofty spires, the steer stopped for a moment to view the noble edifice and the green stream of traffic that poured past him. He then turned and headed eastward. There were no end of comments passed as the visitor made his way, not galloping madly, wild with rage, but in a nice, decorous trot that permitted him to view the passing throng. But this did not last long.

A wicked looking motor car taking a party of men downtown was pushed by its chauffeur right in the flank of the steer as he neared Sherry's. "Hunk!" went the car, and up went the heels of the steer. He turned and circled the car, while drivers pulled their horses in and there were screams from many carriages. Some one in blue with brass buttons and a cart wheel on his arm came running up, but the steer took to the sidewalk, scattering people right and left, and then, seeing an opening, dashed out into the street again and made for the Forty-second street crossing.

A traffic cop blew his whistle, which stopped the vehicles but not the steer. He took the crossing nautically, just escaping the foot of a Ford car, and he was looking at the new library over as he hurried past. Then something made a coughing sound right beside him and he glanced around. It was that red devil again again trying to spoil his little excursion. The red flashed before his eyes in the sunlight right in front of him and the steer put his head down and made for it. Behind him came a crowd running on the sidewalk, and in front was the red machine spitting something at him spitefully every time he got near it.

The steer began to get tired and he gave up the pursuit of the devil wagon. The men in it apparently had enjoyed the sport while it lasted. Opposite the Waldorf the steer took a sidetrack and headed west, kept out of his way, however. His eyes were red and his coat was dripping wet, showing that he was in distress. Again he struck the red devil and again he went by him, scaring him with their dreadful horns.

In front of the Holland House he stood at bay for a moment. Seeing a cab approaching him shyly, but nobody had a rope and nobody dared tackle him without one. Policeman Parsons of the traffic squad, who was on duty at the time, hit upon a brilliant idea then. A Fifth avenue stage, its top crowded with passengers, was lumbering down the avenue and he decided to make a dash for it. He ran in front of the Holland House. Parsons shouted to the driver to turn his team across the avenue. Then he caught an express wagon and he and the steer went the same way, making, as he thought, an insurmountable barrier for the steer. He also got several men to watch the sidewalk, and instructed them to shoot the steer away if he came that way.

After his rest the steer got a fresh burst of speed. He made a pretty sight as he trotted down the street, and he was looking at the Brooklyn Bridge when he arrived. Hoofing it up the hill at Forty-ninth street, where there is one street above another, he paused and took in the scene. When a gang of small boys came climbing up the hill in hot pursuit the visitor turned swiftly and headed west for the Avenue.

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BOOKS AND AUTHORS.

Dr. S. Weir Mitchell, in spite of his seventy-seven years, is still working as hard as when he was a young man, and his chosen profession. The new book on which he is working is called "The Red City," a title which piques curiosity, since Dr. Mitchell is a resident of Philadelphia.

Mr. Clement Shorter, travelling about in Germany with the English journalists who have had a great meeting there, finds that the melody which is sung here as "America" and in British Dominions as "God Save the King" is the national air of Denmark and of Prussia and is sung with national significance and much fervor in many places in Germany. No one has been able to find an authorship of this national song earlier than that of Henry Carey, although it is admitted to be an adaptation of certain earlier tunes. "God Save the King" was first sung at a dinner in 1740 to celebrate the taking of Portobello by Admiral Vernon. The earlier claim on behalf of Dr. John Bull, an English exile of Antwerp in the reign of James I., is said to be unwarranted.

Two new English books which will no doubt find their way to America deal with opposite sides of the old question which has furnished so many situations to the novelist. Mr. Arthur Beckett's "Emancipation" is a special plea for woman's freedom—freedom from social bonds, freedom in her choice of lovers, freedom from the obligation to enchain herself in matrimony. Miss Netta Syrett's new novel, "The Child of Promise," is a revolt against rebellion and a plea for conventional duty and restraint. The heroine of the novel is a young woman of "free unions," the heroine revolts against her freedom. Brought in contact with the world she becomes a champion of the doctrines from which she had rebelled.

Now that Spain has become the happy hunting ground of the tourist, books on the subject are of special interest. Among those recently brought out in England is "The Escorial," by Albert F. Calvert, which gives a full historical and descriptive account of the royal palace and monastery, the remarkable monument of Philip II. of Spain. "We feel," the author writes, "that the very stories of the building reveal the nature of Philip, the king who would be a saint, the ambitious patriot who longed for power and vivid life and yet realized that the placed existence in the world was some excellent than the fevered life of courts."

An interesting and a novel new book is the dictionary of Dickens, to be issued. The work is being compiled by Mr. A. J. Philip and will contain the whole of the characters and the scenes of the novels arranged in alphabetical order. The characters of the places and the people will be described by quotations from the works themselves.

The Duke of Orleans is collecting and will publish the principal political writings and speeches made by the Count de Chambord, the Count of Paris and himself. The preface which he will contribute to the volume will review the present political situation in France.

The library of the late J. K. Huymans is to be distributed among his friends according to the terms of his will. The annotated theological books are divided among his two friends, his secretary and the Abbé Fontaine. To his executor, Mr. Lucien Descares, he has left that portion of his library which deals with the history of Paris. He stipulates that nothing shall be published of his correspondence or literary work except what is already inserted in the books he has himself passed for press and the three studies of Paris churches, which are to appear next season.

The Malone Society in England has for its object the reprinting of old plays and illustrative documents, mostly of the Tudor period. The plays so far reproduced include "Johan the Evangelist" and the interlude of "Wealth and Health," printed from copies discovered in Ireland; "The Battle of Alcazar," which follows the Bodleian copy, and Greene's Orlando, reprinted from the Bodleian copy. The four volumes have been prepared by Mr. W. W. Greg and submitted to Messrs. Arundell, Faldale, Percy Simpson, Frank Sidgwick and Robert McKerrow.

A new picture of the ever fascinating customs and manners of the Creoles of Louisiana will be presented by Edward Childs Carpenter in his forthcoming novel "The Code of Victor Jallot." The Creoles, who are the white descendants of the French and Spanish colonists, have supplied several Governors to the State of Louisiana and have distinguished themselves in Congress and in the various professions and in literature. Mr. Carpenter may be remembered as the author of "Captain Courtney," a romance of old California.

The sale of Mrs. Craigie's library may be called something of a society event, for John Oliver Hobbes was very popular and had many friends in the fashionable world who will value a souvenir of her brilliant personality. To be literary is to be modish in England at present. Each of the leading beauties has her bookplate and her favorite author. Many ladies introduce into these society parties whatever happens to be their favorite musical instrument, but when their pet dogs into the drawing. Books, beautifully bound and if possible distinguished by being either first editions or issued from some special press, have become the wedding gifts presented by some statesmen. Mr. Balfour, Mr. Haldane and Mr. Birrell rarely giving anything else.

DRIVER OF SORE HORSES NABBED.

Second Time a Has Been Arrested for Same Offense—Won't Get on Employers.

Michael Delilio, a driver for Jackson Bros., truckmen, of 168 Church street, was in the Tombs court yesterday for the second time within a week, charged with driving a horse with sores on its neck and back that were irritated by the harness. Mounted Policeman McGuire, who arrested Delilio both times, said that he tried yesterday to find out whether the driver's employers didn't know they were sending the horse out in that condition, but Delilio declared that he wouldn't tell on his bosses.

Magistrate Cornell held the driver in \$500 bail for a hearing this morning, and said he intended to see if something couldn't be done with Delilio's employers. The driver is still awaiting examination on the first complaint.

ROAD ACROSS MUD LAKE.

Trolley Company Secures a Firm Foundation After a Long Period of Trial.

UTICA, July 16.—The Onondaga and Mohawk Valley Electric Railroad has finally succeeded in building a roadbed through Mud Lake, a treacherous bog hole near Richfield Springs. Ever since the construction of the road the officers have been endeavoring to get a roadbed through the lake. Many cars and stretches of track have been washed away. Several times a roadbed has been constructed and trains of cars run out on the lake to test the foundation and invariably the mass of mud has given way.

The task has now been accomplished and tested and trolley cars will speed over the lake instead of skirting its shore line.

Engineer Drowned in Mexico.

MEXICO CITY, Mexico, July 16.—News has reached here of the death by accidental drowning of J. Humphreys, a well known American civil engineer. He was attempting to cross the Santa Anita River near Pachuca when the accident occurred.

Arthur Prince, the Ventriologist, to Return.

Arthur Prince, the English ventriologist, will make his reappearance at Hammerstein's Roof Garden on Monday, August 5. Mr. Prince is to be seen for a limited engagement of four weeks.

BOLD MAN OF THE LAW SUES

FOR PROFIT OF HIS VENTURES IN KENTUCKY MOUNTAINS.

Cleared Titles for Client Who Demanded Nerve as Well as Knowledge, but Who Won't Pay Until He Sells, and Won't Sell—Trouble Began Before the War.

The experiences of a lawyer and his client with the mountaineers of southeastern Kentucky form part of papers submitted yesterday to Justice Dayton in the Supreme Court. The lawyer is William C. Clifton, formerly of a well known, but now retired and living in Baltimore. His client was Paul N. Spofford, but Spofford is now the defendant, Clifton and Thomas G. Stuart having begun a suit against him to recover \$75,000 for legal services rendered.

William C. Clifton had much litigation with his wife, Minnie T. Clifton, who brought three successive suits for a separation, each of which was dropped after a reconciliation. Clifton is also known as a collector of collins. He presents Mrs. Clifton as the lawyer's third wife. According to the complaint in the action Spofford came to Clifton's office in 1888 and retained the lawyer to obtain for him clear deeds to several parcels of property in the southeastern part of Kentucky.

It appears that in 1855 a deed of trust was executed to the North American Land Company embracing these lands, which aggregated 498,000 acres. The deed of trust was secured by several notes, made by John W. Spofford, a son of Paul N. Spofford, and Ann Parks, who had executed the deed of trust. The notes were not paid when they fell due and in 1880 Spofford and William N. Tilghman, to whom the deed and notes had been assigned by the land company, began an action in the Kentucky courts to foreclose the deed of trust.

Judgment in favor of Spofford was entered in 1862 and a sale of the properties was directed, but the civil war put an end to Spofford's energies and nothing was done about the judgment until June 24, 1868, when a sale was had, at which Spofford became the purchaser of the lands.

Clifton says that in November, 1888, Spofford, a perfect stranger to him, walked into his office and asked him to undertake the task of clearing up the title to the Kentucky lands and putting Spofford in possession.

"He told me," Clifton continues, "that many years before he had gone down to Kentucky, but had barely escaped with his life, after running down a stream of five miles to Catlettsburg to save his body from the 'wolves' of Kentucky soil. He would not go there again, he said, among those bloodthirsty people for the whole State of Kentucky in fee simple, and he came to me, he said, because he had learned that I was not afraid to risk my life in the venture, and that I would probably be willing to undertake the business and would secure if anybody could, as the prize would be his security."

"Which I afterward very seriously doubted," Mr. Clifton comments, "when in the mountains of southeastern Kentucky, and I have often thought since that only a bold and intrepid front brought me safely back within the confines of civilization." Clifton says that Spofford had engaged him over terms, but finally they agreed on \$500 cash down and 30 per cent. of whatever Spofford should afterward realize from the sale of the property. The deed of trust, which was in the hands of a lawyer in Winchester, Ky., and together they waded through the musty legal documents that had been in the court clerk's office for years. Then they went up country to examine the property, and it was there that they met with the experiences with the mountaineers, who probably mistook them for tax collectors or gamblers.

It took four years to clear up the titles held by Spofford, and in 1892 he got clear deeds to all the lands embraced in the 498,000 acres. Some idea of the size of this tract may be gathered from the fact that there are only 14,000 acres in Manhattan Island and but 209,000 acres in all Greater New York.

Clifton and Stuart say that they have personal knowledge that Spofford has received one hundred and fifty of \$250,000 for his lands, and that he has repeatedly refused to consider that and other offers made by responsible persons. Under their contract with him their 30 per cent, dependent on the property, would be \$45,000. Spofford has insisted that until he sells he owes them nothing. The lawyers consider his repeated refusal to sell as violations of their contract with him, and have repeatedly urged the court to adjudge that they are entitled to \$75,000, or 30 per cent. on \$250,000, the amount of the offer which they assert he has received.

Spofford, in his answer, denies owing the lawyers anything and also denies that he has received any responsible offers for his lands. He says that he has repeatedly refused to consider that and other offers made by responsible persons. Under their contract with him their 30 per cent, dependent on the property, would be \$45,000. Spofford has insisted that until he sells he owes them nothing. The lawyers consider his repeated refusal to sell as violations of their contract with him, and have repeatedly urged the court to adjudge that they are entitled to \$75,000, or 30 per cent. on \$250,000, the amount of the offer which they assert he has received.

L. L. BRINSMAN GIVES BAIL.

He and Joe Landers, Chauffeur, Held to Answer Charge of Causing Girl's Death.

TOMS RIVER, N. J., July 16.—Before Judge Berry to-day in the Ocean Common Pleas Court Louis L. Brinsman, manager of the Westinghouse company's shops in Bridge street, New York, and his chauffeur, Joe Landers, a well known motor car racer, gave \$5,000 bail to appear at the September term of court and answer to the possible charge of having caused the death of Laura Brown of Mount Joy, Pa., on June 8, near Barnegat, N. J.

The little girl was the daughter of Benjamin H. Brown, a prominent manufacturer of Mount Joy, one of the owners of the cotton mills there and at Media. Her father and mother, her grandfather, George Brown, Sr., and her little brother were in the car going south from Barnegat to Atlantic City, when Brinsman's car, running north, hit it. The Brown car took fire and its occupants were all badly burned. The little girl's skull was fractured and she died without regaining consciousness after having been hurried to the St. James Hospital.

Arthur J. Baldwin, formerly a law partner of Judge James B. Dill, now associated with ex-Attorney-General John W. Griggs, furnished bonds for Brinsman and his chauffeur.

MINERS' UNION LOSSES.

Only 10,211 Members Out of 80,000 Workers in Two Anthracite Districts.

WILKESBARRE, July 16.—Of the 80,000 mine workers of the Wyoming and Lackawanna districts of the anthracite coal field only 10,211 are members of the union, according to the report at the annual convention of the United Mine Workers of the district here to-day.

The average membership for the entire year was 12,573, and in that time ten local unions, two were organized and two were reorganized.

President T. D. Nichols gave as the chief reason for the decrease in membership the assessment of 50 cents a week for the last two weeks of June and all of July in aid of the support of the bituminous mine workers.

The Wanamaker Store
Store Closes Daily at 5 P. M. Saturdays at 12 o'clock.

The Business Factory
Is Making a Record This Week

Who would have expected to find WANAMAKER'S so tremendously busy during the third week of July? With these two great buildings to divide up the crowds,